

### **REMARKS**

Applicant appreciates the Examiner's thorough examination of the present application. Applicant has amended claims 3-5, 8-10, 13-15, 18-21, 33-36, 40, and 46 herein. Claims 1, 2, 11, 12, 32, and 41 are canceled.

Applicant respectfully asserts that the claims are allowable herein over the Examiner's rejection under 35 U.S.C. §102. Applicant respectfully requests favorable reconsideration of the claims based on the amendments and remarks set forth herein.

### **Rejections Under 35 U.S.C. §102 (b)**

The Examiner has rejected claims 1-3, 5-8, 11-13, 15-18, 21-24, 26-29, 32-43 and 46 under 35 USC §102 as being anticipated by Hausam. Applicant respectfully asserts that the claims, as amended herein, overcome and are allowable over the examiner's rejection. Claims 3, 13, 21, 36, 40, and 46 have been amended to further distinguish the invention from the Hausam reference.

With regard to the rejection under 35 U.S.C. §102, its is well settled, anticipation requires "identity of invention." *Glaverbel Societe Anonyme v. Northlake Manufacture Mktg. & Supply*, 33 USPQ2d 1496, 1498 (Fed. Cir. 1995). Each and every element recited in a claim must be found in a particular prior art reference and arranged as in the claims. *In re Marshall*, 198 USPQ 344, 346 (CCPA 1978); *Lindemann Maschinenfabrik GMBH*, see *American Hoist and Derrick Company*, 221 USPQ481, 485 (Fed. Cir. 1984). Furthermore, in a rejection under 35 U.S.C. §102 (b) there must be no difference between what is claimed and what is disclosed in the applied reference. *In re Kalm*, 154 USPQ10, 12 (CCPA 1967); *Scripps v. Genentech Inc.*, 18 USPQ2d 1001,1010 (Fed. Cir. 1991).

The Hausam reference does not include each and every limitation of the claims as amended herein. In particular, Hausam does not include a bracket nor does it include a slot in the bracket. Similarly, Hausam does not allow for the funnel to be pushed through and into

engagement with the blocking device. Rather, Hausam needs to be rotated out of position before engaging with the funnel. Additionally, Hausam does not allow for a biasing member or biasing engagement.

With the foregoing in mind, the amended claims overcome and are allowable over the examiner's rejection under 35 USC §102 since Hausam fails to provide each and every element of the amended claims as set forth herein. There is a significant difference between what is claimed and what is disclosed in Hausam. With the foregoing in mind, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §102 and allow the amended claims.

If there is any issue remaining to be resolved, the Examiner is invited to telephone the undersigned so that resolution can be promptly effected.

It is requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time sufficient to effect a timely response with the fee for such extensions and shortages in other fees, being charged, or any overpayment in fees being credited, to the Account of Barnes & Thornburg, Deposit Account No. 12-0913 (27726-100554).

Respectfully submitted,  
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